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September 19, 2018

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commissions
445 12th Street, S.W.
Washington, D.C. 20554

Re: Implementing Kari's Law and Section 506 of RAY BAUM'S Act, PS Docket No. 18-261; Inquiry Concerning 911 Access, Routing, and Location Information in Enterprise Communications Systems, PS Docket No. 17-239

Dear Ms. Dortch:

On Tuesday, September 18, 2018, Angie Kronenberg and the undersigned counsel from INCOMPAS met separately by phone with Zenji Nakazawa, Public Safety and Consumer Protection Advisor to Chairman Pai, and David Furth, Deputy Bureau Chief of the Public Safety and Homeland Security Bureau about the Commission's *Notice of Proposed Rulemaking* ("Draft NPRM") in the above-referenced proceedings. INCOMPAS supports this important NPRM and urges the Commission to unanimously adopt it at the September 26th open meeting, with the modifications as described below and in the appendix.

INCOMPAS, the internet and competitive networks association, represents members that provide communications services across a variety of technological platforms and to a variety of customers, including enterprise customers with multi-line telephone systems. The association also represents technology companies that provide solutions and products used in the emergency calling system, so amongst our membership there is a great deal of familiarity with and interest in this proceeding. As the Commission prepares to vote on the item, INCOMPAS urged the Commission to consider adding questions to the Draft NPRM that would ensure that the record the agency receives is comprehensive and thorough.

First, INCOMPAS recommended that the Commission expand its queries regarding the potential sources of information that could be used to provide accurate and reliable location information to emergency services. For each of the impacted communications services, the agency seeks comment on whether the National Emergency Address Database ("NEAD") could

assist providers in determining the dispatchable location of end users.[1] INCOMPAS posits that there are other location information sources that are readily available to improve the potential for providing accurate and reliable dispatchable location information. Commercially-available location services, like GPS and other mapping technology, may have great usefulness in the context of emergency calling and INCOMPAS encourages the Commission to include questions in the Draft NPRM seeking comment on how companies could use these resources to enhance their products to comport with the requirements of Kari's Law and Section 506 of RAY BAUM'S Act.[2]

Second, INCOMPAS encouraged the Commission to seek comment on the readiness of the emergency calling system to handle dispatchable location information from the communications services included in the NPRM. In paragraph 88 of the Draft NPRM, the Commission contemplates whether PSAPs will be capable of receiving dispatchable location information by the compliance date of February 16, 2020 or whether additional steps will be needed.[3] INCOMPAS suggested that the Commission use this proceeding to surmise whether fundamental infrastructure updates and changes are needed to improve today's emergency calling capabilities. Understanding the current capabilities of the emergency calling system, and working with PSAPs to address any shortcomings, could facilitate the more efficient and effective provision of dispatchable location information. Furthermore, the Commission should seek comment on standards-based approaches that could improve the technological capabilities of emergency calling as it expands beyond PSTN calling. Standardized deployment of these implementing requirements will ensure that providers across all communications platforms do not have to develop unique technical solutions for each of the 6500 PSAPs around the country.

Finally, INCOMPAS recommended that the Commission include an inquiry in the Draft NPRM on whether there are other countries or regions taking similar steps to address emergency calling challenges. As more communications service providers are developing products intended to meet domestic and international standards, and more emergency communications are made via over-the-top applications, the issue of emergency calling is a global one. Consideration of these international standards into the law's implementing requirements will ensure that the U.S. is taking steps to harmonize its emergency calling efforts with other countries working on the issue of dispatchable location information.

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[1] *See* Draft NPRM at ¶ 65 (seeking comment on whether the NEAD could assist in determining the dispatchable location of MLTS end users), ¶ 68 (in the context of fixed telephony), ¶ 76 (in the context of interconnected VoIP), and ¶ 81 (in the context of telecommunications relay services).

[2] INCOMPAS has included specific suggestions for the Draft NPRM in an Appendix (attached).

[3] Draft NPRM at ¶ 88 (contemplating the ability of PSAPs to receive dispatchable location information by the 2020 compliance date)

Respectfully submitted,

/s/ Christopher L. Shipley

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cc: Zenji Nakazawa
David Furth

APPENDIX

INCOMPAS proposes the following edits (in red) to the Commission's Draft Notice of Proposed Rulemaking on Kari's Law and Section 506 of RAY BAUM'S Act:

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65. We also seek comment on whether there are other sources of location information, such as the National Emergency Address Database (NEAD), the location database being developed by the major mobile carriers to provide dispatchable location for indoor mobile 911 calls, that could potentially assist MLTS managers and operators in determining the dispatchable location of MLTS end users.110 Could MLTS managers and operators leverage these other sources of location information ~~NEAD~~? What actions, if any, should we take to facilitate use of ~~access to~~ the NEAD and other location information sources for MLTS managers and operators? With respect to the NEAD, in particular, are there ~~hat~~ obligations that ~~, if any,~~ should be placed on entities that seek to access the NEAD? As it has been contemplated that dispatchable location information from third-party sources will be integrated into the NEAD,111 we seek comment on whether MLTS managers and operators are positioned to contribute dispatchable location reference points to the database. If they are capable of making such contributions, should they be required to do so as a condition of leveraging the NEAD? Similarly, should they [be] required to contribute to the operating costs of the NEAD as a condition of leveraging it?

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68. We seek comment on whether it is technically feasible for fixed telephony carriers to convey dispatchable location with a 911 call. In many instances, as noted above, fixed telephony 911 calls from single family homes, feasibility appears to be established because fixed telephony carriers already provide validated street address information to the PSAP and first responders do not typically require additional room or floor level information. We seek comment on the extent to which fixed telephony carriers also provide other information, such as floor level and room number, for 911 calls from multi-story buildings and similar environments. How frequently do fixed telephony 911 calls convey only street addresses where additional information would be needed to locate the caller? What obstacles exist, if any, to fixed telephony carriers conveying dispatchable location to PSAPs? If obstacles exist, how could they be overcome, and at what cost? Could the NEAD, ~~or~~ similar databases or other sources of location information assist fixed telephony carriers in providing dispatchable location with 911 calls? What obligations, if any, should be placed on fixed telephony carriers that seek to access the NEAD? If so, what steps could the Commission take, if any, to facilitate the use of such databases by fixed telephony providers? Are there any alternatives to dispatchable location that fixed telephony carriers could use to provide in-building location information beyond street addresses, e.g., coordinate-based information?

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76. We note that in the Registered Location context the burden is on the end user to update the Registered Location whenever the end user moves from one location to another. We seek comment on whether nomadic interconnected VoIP providers have, or can develop in the near

term, the means to provide automatic dispatchable location with 911 calls in lieu of conveying the customer's Registered Location. We believe that automatic provision of location is preferable because end users under stress in emergency situations may have difficulty providing manual updates and the updating process may delay the 911 call or subsequent location and dispatch. Therefore, we seek comment on the degree to which mechanisms exist for interconnected VoIP providers to dynamically determine the location of end users (1) when they are at home or their usual place of work, (2) when they move frequently between multiple locations, and (3) when they are at locations they do not regularly visit. How accurate is the location information acquired in these scenarios, and would it be sufficient to meet the proposed definition of dispatchable location? Are there sources of reliable location information available to interconnected VoIP providers? Could the NEAD assist interconnected VoIP providers with dynamic determination of the location of end users? If so, what steps could the Commission take, if any, to facilitate the use of the NEAD by interconnected VoIP providers? What obligations, if any, should be placed on interconnected VoIP providers that seek to access the NEAD?

. . .

88. We also seek comment on our proposal to apply the same February 2020 compliance date for our proposed dispatchable location requirements for fixed telephony, interconnected VoIP, and TRS. We also seek comment on alternatives. Is there any reason to establish a compliance date or dates for these services that is either earlier or later than the proposed compliance date for implementation of Kari's Law? Should compliance for different service types be phased as a way to require greater accuracy over time or to provide additional time to small businesses to come into compliance? Are there technical or standard limitations for location determination and routing to the appropriate PSAP? Will PSAPs be capable of receiving dispatchable location by February 16, 2020, or are there additional steps that either some or all PSAPs must take to achieve this capability? Are existing class of service definitions sufficient to support PSAP receipt of dispatchable location or must new ones be developed? Should international roaming scenarios be taken into consideration? Are other countries/regions of the world developing emergency calling standards that have addressed location accuracy, routing to the appropriate PSAP and provision of dispatchable location in the context of interconnected VoIP and other new technologies?